

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE

RACHEL L. KUNTZ, )  
ROSEANNE KUNTZ, deceased, and )  
R.O.B., minor child, )  
 )  
Plaintiffs, )  
 )  
v. ) No.: 2:22-CV-34-TAV-CRW  
 )  
RANDAL LEWIS, Carter County Trustee, )  
ANDREA LEWIS, and )  
CHAD LEWIS, )  
 )  
Defendants. )

**ORDER**

This civil matter is before the Court on the Report and Recommendation (the “R&R”) entered by United States Magistrate Judge Cynthia R. Wyrick on April 28, 2022 [Doc. 5]. In the R&R, Judge Wyrick granted plaintiffs’ motion for leave to proceed *in forma pauperis* [Doc. 2] as to plaintiff Rachel Kuntz. However, Judge Wyrick recommends that the Court deny the motion to the extent that it seeks *in forma pauperis* status on behalf of plaintiffs Roseanne Kuntz or R.O.B. Additionally, after screening the complaint, Judge Wyrick recommends that the Court dismiss all of plaintiffs’ claims for failure to state a claim. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.

After a careful review of the matter, the Court agrees with Magistrate Judge Wyrick's recommendations. Accordingly, the Court **ACCEPTS AND ADOPTS IN WHOLE** Magistrate Judge Wyrick's R&R [Doc. 5].

The motion to proceed *in forma pauperis* [Doc. 2] as to plaintiffs Roseanne Kuntz and R.O.B. is **DENIED**. Plaintiffs Roseanne Kuntz and R.O.B.'s claims are hereby **DISMISSED WITHOUT PREJUDICE** and plaintiff Rachel Kuntz's claims are hereby **DISMISSED WITH PREJUDICE**.

There being no further issues before the Court, the Clerk of Court is **DIRECTED** to **CLOSE** the case.

IT IS SO ORDERED.

s/ Thomas A. Varlan  
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UNITED STATES DISTRICT JUDGE